

Appendix A

Agency and Local Comments

**MEMORANDUM
DEPARTMENT OF ENVIRONMENTAL QUALITY
Piedmont Regional Office**

4949-A Cox Road

Glen Allen, VA 23060

804/527-5020

To: Ms. Julia H. Wellman
Environmental Program Planner

From: Mrs. Kelley H. West
Environmental Planner

Date: March 10, 2010

Subject: Virginia State Law Enforcement Training Facility (10-017S).

I have reviewed the Environmental Impact Review for the above referenced project, which Virginia State Law Enforcement Training facility has proposed a training facility for a parcel of land adjacent to the existing Deep Meadows Correctional Center Canine Training facility in Powhatan County, Virginia. The project site is approximately 18 acres of former agricultural land located along Old Trail Road. The proposed project consist of the construction of four small arms firing ranges with range towers, bleachers, and perimeter earthen berms. Also development of building structures to be used as shoot houses, classrooms, restrooms, parking lots, and dormitories. My comments are as follows:

Water: The site drains to the James River; erosion and sediment controls should be properly implemented and maintained throughout all phases of construction. E & S controls and Best Management Practices (BMPs) should be inspected/repared before and after rain events. Please follow all standards and specifications under the DCR Erosion & Sediment Controls Handbook (1992, 3rd Edition). DEQ recommends maximizing pervious surface areas and green spaces in the construction design to reduce runoff and the environmental impact associated with urban runoff.

Waste: The generation of hazardous or solid waste materials should be tested and removed in accordance with the Virginia Hazardous Waste Management Regulations (9 VAC 20-60) and/or the Virginia Solid Waste Management Regulations (9 VAC 20-80). Please understand that it is the generator's responsibility to determine if a solid waste meets the criteria of a hazardous waste and as a result be managed as such. In addition, asbestos waste, lead waste, or contaminated residues generated must be handled and disposed of in accordance with the VSWMR or VHWMR as applicable. DEQ recommends that pollution prevention principles be implemented to reduce the amount of wastes at the source, such as the re-use and recycling of waste materials. If you have any questions concerning hazardous/solid waste management, please contact Rob Timmins at (804)527-5161.

Air: DEQ recommends following all air quality standard and specifications to reduce or avoid the emissions of VOCs, especially during periods of high ozone. Fugitive dust should be kept to a minimum, (9 VAC 5-40-5630 *et seq*). Permits may be required for any boilers or fuel-burning equipment. For further questions, please contact James Kyle at (804) 527-5047.

Wellman, Julia (DEQ)

From: West, Kelley (DEQ)
Sent: Friday, July 23, 2010 10:33 AM
To: Wellman, Julia (DEQ)
Subject: EIR 10-017S

DEQ PRO recommends the Powhatan shooting range follow EPA's study, Best Management Practices (BMP's) for Lead Outdoor Shooting Ranges and install BMP's for lead containment.

DEQ PRO has taken several water samples and sediment samples around established shooting ranges to test for lead contamination. All the water samples were below the detection limit for lead. One sediment sample was below the detection limit and all other sediment samples were an order of magnitude below the Effects Range Median (ERM).

Kelley H. West
Environmental Planner
Virginia Department of Environmental Quality 4949-A Cox Road, Glen Allen VA 23060
(Tel) 804-527-5029/(fax) 804-527-5106

-----Original Message-----

From: Wellman, Julia (DEQ)
Sent: Monday, May 17, 2010 3:06 PM
To: Crump, Lynn (DCR); Allen, Melanie L. (VDOT); Langan, Julie (DHR); Rhur, Robbie (DCR)
Cc: Kirchen, Roger (DHR); West, Kelley (DEQ)
Subject: RE: review request on citizen comments regarding 10-017S

I have attached the comments mentioned below.

Thank you.

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

-----Original Message-----

From: Wellman, Julia (DEQ)
Sent: Monday, May 17, 2010 2:03 PM
To: Crump, Lynn (DCR); Allen, Melanie L. (VDOT); Langan, Julie (DHR); Rhur, Robbie (DCR)
Cc: Kirchen, Roger (DHR); West, Kelley (DEQ)
Subject: review request on citizen comments regarding 10-017S
Importance: High

I am emailing regarding the proposed Virginia State Law Enforcement Training Facility (DEQ 10-017S). DEQ OEIR has suspended the project due to local concerns (please see attached suspension letter for additional information).

A citizen also has commented on the proposed project.

Will you and/or the appropriate person review this letter and respond to me with your comments?

Melanie/Lynn: Old River Trail and potential traffic impacts

Roger/Julie: historic properties

Kelley: lead management plan/associated regulations and potential "wet weather" (as describe in letter) stream

Keith: agriculture

ENVIRONMENTAL REVIEW COMMENTS APPLICABLE TO AIR QUALITY

DEQ - OEIA PROJECT NUMBER: 10 – 017S

PROJECT LOCATION: ☐ OZONE ATTAINMENT AREA

1. ☐ 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 E – STAGE I
2. ☐ 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 F – STAGE II Vapor Recovery
3. ☐ 9 VAC 5-40-5490 et seq. – Asphalt Paving operations
4. ☒ **9 VAC 5-130 et seq. – Open Burning**
5. ☒ **9 VAC 5-50-60 et seq. Fugitive Dust Emissions**
6. ☐ 9 VAC 5-50-130 et seq. - Odorous Emissions; Applicable
to _____
7. ☐ 9 VAC 5-50-160 et seq. – Standards of Performance for Toxic Pollutants
8. ☐ 9 VAC 5-50-400 Subpart_____, Standards of Performance for New Stationary
Sources,
designates standards of performance for the _____
9. ☐ 9 VAC 5-80-10 et seq. of the regulations – Permits for Stationary Sources
10. ☐ 9 VAC 5-80-1700 et seq. Of the regulations – Major or Modified Sources located
in
PSD areas. This rule may be applicable to the _____
11. ☐ 9 VAC 5-80-2000 et seq. of the regulations – New and modified sources located
in
non-attainment areas
12. ☐ 9 VAC 5-80-800 et seq. Of the regulations – Operating Permits and exemptions.
This rule may be applicable to _____

COMMENTS SPECIFIC TO THE PROJECT:

H. S. Saurabh

Date: February 19, 2010



MEMORANDUM

TO: Julia Wellman, Environmental Program Planner
PNK
FROM: Paul Kohler, Waste Division Environmental Review Coordinator
DATE: March 1, 2010
COPIES: Sanjay Thirunagari, Waste Division Environmental Review Manager; file
SUBJECT: Environmental Impact Report: Virginia State Law Enforcement Training Facility; 10-

The Waste Division has completed its review of the Environmental Impact report for the Virginia State Law Enforcement Training Facility project in Powhatan County, Virginia. We have the following comments concerning the waste issues associated with this project:

Neither solid nor hazardous waste issues were addressed in the report. The report did not include a search of waste-related data bases. A GIS database search did not reveal any waste sites within a half mile radius that would impact or be impacted by the subject site. The Waste Division staff performed a cursory review of its data files and determined that there is one solid waste site (PBR 175, In-Vessel Composting Facility) located within the same zip code, however its proximity to the subject site is unknown.

Any soil that is suspected of contamination or wastes that are generated during construction-related activities must be tested and disposed of in accordance with applicable Federal, State, and local laws and regulations. Some of the applicable state laws and regulations are: Virginia Waste Management Act, Code of Virginia Section 10.1-1400 *et seq.*; Virginia Hazardous Waste Management Regulations (VHWMR) (9VAC 20-60); Virginia Solid Waste Management Regulations (VSWMR) (9VAC 20-80); Virginia Regulations for the Transportation of Hazardous Materials (9VAC 20-110). Some of the applicable Federal laws and regulations are: the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 *et seq.*, and the applicable regulations contained in Title 40 of the Code of Federal Regulations; and the U.S. Department of Transportation Rules for Transportation of Hazardous materials, 49 CFR Part 107.

Also, all structures being demolished/renovated/ removed should be checked for asbestos-containing materials (ACM) and lead-based paint prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-80-640 for ACM and 9VAC 20-60-261 for LBP must be followed.

Please note that DEQ encourages all construction projects and facilities to implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All generation of hazardous wastes should be minimized and handled appropriately.

If you have any questions or need further information, please contact Paul Kohler at (804) 698-4208.

Wellman, Julia (DEQ)

From: Kohler, Paul (DEQ)
Sent: Wednesday, July 07, 2010 2:57 PM
To: Wellman, Julia (DEQ)
Subject: RE: Review Request: DSP Response (DEQ 10-017S)

I've read the letter and e-mail and nothing here seems to impact the facility as regards my database search of nearby waste sites. Therefore, I have no additional comments.

Paul

From: Wellman, Julia (DEQ)
Sent: Wednesday, July 07, 2010 2:41 PM
To: Kohler, Paul (DEQ)
Cc: Irons, Ellie (DEQ)
Subject: FW: Review Request: DSP Response (DEQ 10-017S)

Paul, Please see the email below. I accidentally left you off the original list. Thank you.

From: Wellman, Julia (DEQ)
Sent: Wednesday, July 07, 2010 2:38 PM
To: 'Carolyn Bishop'; 'ctucker@powhatanva.gov'; 'carsontucker@verizon.net'; Allen, Melanie L. (VDOT); Adkins, Chris (VDOT); Kirchen, Roger (DHR); Langan, Julie (DHR); West, Kelley (DEQ); Rhur, Robbie (DCR); Crump, Lynn (DCR); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
Subject: Review Request: DSP Response (DEQ 10-017S)

Please see the attached letter and email from the Virginia Department of State Police regarding the proposed law enforcement training facility in Powhatan County. This letter is in response to concerns raised in during the coordinated review of the environmental impact report (DEQ 10-017S) for the project.

Have your concerns regarding the proposed project been addressed?

Do you have additional comments?

Please respond to me no later than Wednesday, July 14.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

7/8/2010



Planning District Commission

Metropolitan Planning Organization

Town of
Ashland
Counties of
Charles City
Chesterfield
Goochland
Hanover
Henrico
New Kent
Powhatan
City of
Richmond

Executive Director
Robert A. Crum, Jr.

MEMORANDUM

RECEIVED

MAR 08 2010

DEQ-Office of Environmental
Impact Review

TO: Julia Wellman
Virginia Department of Environmental Quality

FROM: Jackie S. Stewart
Director of Planning and Information Systems

DATE: March 5, 2010

SUBJECT: **ENVIRONMENTAL REVIEW AND COMMENT**


Project Title: Virginia State Law Enforcement Training Facility
Project # 10-017S

CCN: VA10-0305-2259-015-00760

The RRPDC received a request for comment concerning this proposal on February 19, 2010. RRPDC staff sent the request to staff of planning district member localities on February 22, 2010 in order to solicit comments to include in a comment letter. Any documents associated with the request were made available to locality staff. Response comments from locality staff were requested on or before March 5, 2010.

RRPDC staff received no replies from locality staff.

RRPDC staff has reviewed the proposed project and has no comment on the project as proposed.

Signature  for JSS.
Jackie S. Stewart
Planning & Information Systems Director

JSS/sgs



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street, Suite 326
Richmond, Virginia 23219-2010
(804) 786-2556 FAX (804) 371-7899

MEMORANDUM

DATE: March 8, 2010
TO: Julia Wellman, DEQ
FROM: Roberta Rhur, Environmental Impact Review Coordinator *for*
John Davy, Division Director, Planning and Recreational Resources
SUBJECT: DEQ 10-017S, Dept of State Police-VA State Law Enforcement Training Facility,
Powhatan

Division of Natural Heritage

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in our files, the James River Stream Conservation Unit (SCU) is downstream of the project site. SCUs identify stream reaches that contain aquatic natural heritage resources, including 2 miles upstream and 1 mile downstream of documented occurrences, and all tributaries within this reach. SCUs are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. The James River SCU has been given a biodiversity significance ranking of B3, which represents a site of high significance. The natural heritage resources of concern associated with this SCU are:

<i>Alasmodonta varicosa</i>	Brook floater	G3/S1/NL/LE
<i>Elliptio lanceolata</i>	Yellow lance	G2G3/S2S3/SOC/SC

Considered good indicators of the health of aquatic ecosystems, freshwater mussels are dependent on good water quality, good physical habitat conditions, and an environment that will support populations of host fish species (Williams et al., 1993). Because mussels are sedentary organisms, they are sensitive to water quality degradation related to increased sedimentation and pollution. They are also sensitive to habitat destruction through dam construction, channelization, and dredging, and the invasion of exotic mollusk species.

In addition, the James Spnymussel (*Pleurobema collina*, G1/S1/LE/LE) has been historically documented in the James River. The James spnymussel is endemic to the James River watershed and occurs in a variety of substrata, ranging from sand and silt mixtures to gravel and sand mixed with rubble, and in a variety of flow regimes (Clarke & Neves, 1984; Hove & Neves, 1994). It is now restricted to small headwater streams of this watershed (Neves, 1991). Threats to the James spnymussel include competition with the exotic clam (*Corbicula fluminea*), erosion and sedimentation from logging, road construction, and livestock grazing, sewage effluent, and water quality degradation (Neves, 1991). Please note that this species is currently classified as endangered by the United States Fish and Wildlife Service (USFWS) and the Virginia Department of Game and Inland Fisheries (VDGIF).

Furthermore, the James River has been designated by the Virginia Department of Game and Inland Fisheries (VDGIF) as a "Threatened and Endangered Species Water". The species associated with this T & E Water are the Atlantic pigtoe (*Fusconaia masoni*, G2/S2/SOC/LT) and the Brook floater.

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the legal status of the Brook floater, the Atlantic pigtoe and the James Spnymussel, DCR also recommends coordination with the U.S. Fish and Wildlife Service (USFWS), the Virginia Department of Game and Inland Fisheries (VDGIF) to ensure compliance with protected species legislation.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

In addition, our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Shirl Dressler at (804) 367-6913.

Division of Soil and Water Conservation

Erosion & Sediment Control:

The Applicant must prepare a project specific Erosion and Sediment Control (ESC) plan and submit it for review and approval by DCR, if the state agency project results in a land-disturbing activity of equal to or greater than 10,000 square feet. The ESC plan must be approved by DCR prior to any land-disturbing activity at the project site. All regulated land-disturbing activities associated with the project, including on and off site access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project must be covered by the project specific ESC plan. The ESC plan must be prepared in accordance with the Virginia Erosion & Sediment Control Law (VESCL) and Regulations (VESCR) and the most current version of the *Virginia Erosion & Sediment Control Handbook*. The ESC plan is submitted to the DCR Regional Office that serves the area where the project is located. [Reference: VESCL §10.1-560, §10.1-564; VESCR §4VAC50-30-30, VESCR §4VAC50-30-40, §4VAC50-30-100]

Stormwater Management:

The applicant must prepare a project specific Stormwater Management (SWM) plan and submit it for review and approval by DCR, if the state agency project results in a land-disturbing activity of equal to or greater than one acre. The SWM plan must be approved by DCR prior to any land-disturbing activity at the project site. The SWM plan must be approved by DCR prior to any land-disturbing activity at the project site. The SWM plan must be prepared in accordance with the Virginia Stormwater Management Act (VSMA) and the Virginia Stormwater Management Program (VSMP) Permit Regulations. The SWM plan is submitted to the DCR Regional Office that serves the area where the project is located. [Reference: VSMA §10.1-603.5; VSMP Permit Regulations §4VAC50-60-160]

General Permit for Discharges of Stormwater from Construction Activities:

The operator or owner of construction activities involving land disturbing activities equal to or greater than one acre are required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project specific stormwater pollution prevention plan (SWPPP). Construction activities requiring registration also includes the land-disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan of development will ultimately disturb equal to or greater than one acre. The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the General Permit are available on DCR's website at

http://www.dcr.virginia.gov/soil_and_water/index.shtml

[Reference: Virginia Stormwater Management Law Act §10.1-603.1 et seq.; VSMP Permit Regulations §4VAC-50 et seq.]

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

CC: Tylan Dean, USFWS
Ernie Aschenbach, VDGIF

Literature Cited

- Conservation status of freshwater mussels of the United States and Canada. Fisheries 18: 6-9.
- Clarke, A.H. and R.J. Neves. 1984. Status survey of the James River spiny mussel, *Canthyria collina*, in the James River, Virginia. Unpublished report on file with the United States Fish and Wildlife Service, Newton Corner, Massachusetts.
- Hove, M.C. and R.J. Neves. 1994. Life history of the endangered James spiny mussel *Pleurobema collina* (Conrad, 1837). American Malacological Bulletin 11:29-40.
- Neves, R.J. 1991. James spiny mussel. In Virginia's Endangered Species: Proceedings of a Symposium. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia.
- Williams, J.D., M.L. Warren, Jr., K.S. Cummings, J.L. Harris, and R.J. Neves. 1993.

Wellman, Julia (DEQ)

From: Rhur, Robbie (DCR)
Sent: Wednesday, July 07, 2010 4:01 PM
To: Wellman, Julia (DEQ)
Subject: RE: Review Request: DSP Response (DEQ 10-017S)
DCR has no additional comments

From: Wellman, Julia (DEQ)
Sent: Wednesday, July 07, 2010 2:38 PM
To: 'Carolyn Bishop'; 'ctucker@powhatanva.gov'; 'carsontucker@verizon.net'; Allen, Melanie L. (VDOT); Adkins, Chris (VDOT); Kirchen, Roger (DHR); Langan, Julie (DHR); West, Kelley (DEQ); Rhur, Robbie (DCR); Crump, Lynn (DCR); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
Subject: Review Request: DSP Response (DEQ 10-017S)

Please see the attached letter and email from the Virginia Department of State Police regarding the proposed law enforcement training facility in Powhatan County. This letter is in response to concerns raised in during the coordinated review of the environmental impact report (DEQ 10-017S) for the project.

Have your concerns regarding the proposed project been addressed?

Do you have additional comments?

Please respond to me no later than Wednesday, July 14.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

Wellman, Julia (DEQ)

From: Allen, Melanie L. [Melanie.Allen@VDOT.Virginia.gov]
Sent: Friday, March 12, 2010 2:58 PM
To: Wellman, Julia (DEQ)
Subject: EIR, DEQ 10-0178, VA State Law Enforcement Training Facility

Ms. Wellman,

VDOT (Richmond District Transportation Planning) has had an opportunity to review the information provided for the above referenced project. Based upon the limited information provided in the documentation, the project will not substantially impact the state's transportation facilities. It is noted that this is a firing range facility. Please notify if there is anything additional this office may provide to assist in the review of the project.

Sincerely,

Melanie L. Allen

Environmental Program Planner

melanie.allen@vdot.virginia.gov

Street Richmond, VA 23219

|

804-786-0868

|

1401 E. Broad

Wellman, Julia (DEQ)

From: Wellman, Julia (DEQ)
Sent: Friday, May 21, 2010 1:33 PM
To: Crump, Lynn (DCR)
Subject: FW: Road Name & Route Number Confirmation Powhatan County
FYI

From: Allen, Melanie L. [mailto:Melanie.Allen@VDOT.Virginia.gov]
Sent: Thursday, May 20, 2010 2:00 PM
To: Totten, Dale P.E. (VDOT)
Cc: Wellman, Julia (DEQ)
Subject: RE: Road Name & Route Number Confirmation Powhatan County

Thank you so much for your assistance in providing this information.

Melanie L. Allen
Environmental Program Planner
melanie.allen@vdot.virginia.gov | 804-786-0868 | 1401 E. Broad Street
Richmond, VA 23219

From: Totten, Dale P.E.
Sent: Thursday, May 20, 2010 1:34 PM
To: Allen, Melanie L.
Subject: RE: Road Name & Route Number Confirmation Powhatan County

There are two segments, one runs from State Route 711 to US Route 522, the other segment runs from US 522 to the roadway termination to the northwest. According to our records, both are State route 617.

Dale R. Totten, P.E.
Residency Maintenance Manager
Chesterfield Residency
dale.totten@vdot.virginia.gov

From: Allen, Melanie L.
Sent: Wednesday, May 19, 2010 8:46 AM
To: Totten, Dale P.E.
Subject: RE: Road Name & Route Number Confirmation Powhatan County

I believe I only need the road name for the segment of Route 617 that is north of Route 711. However, if time permits to provide any other Route numbers in that vicinity that are called Old River Trail, it would cover all of the bases. Thank you!

Melanie L. Allen
Environmental Program Planner
melanie.allen@vdot.virginia.gov | 804-786-0868 | 1401 E. Broad Street
Richmond, VA 23219

5/21/2010

Wellman, Julia (DEQ)

From: Cromwell, James R. [James.Cromwell@VDOT.Virginia.gov]
Sent: Friday, June 25, 2010 10:54 AM
To: Wellman, Julia (DEQ)
Cc: Crump, Lynn (DCR); Allen, Melanie L. (VDOT)
Subject: RE: Environmental IR Va State Police firing range/Powhatan

Follow Up Flag: For Your Information

Flag Status: Flagged

I received clarification that Old River Trail/Route 617 is a state designated Virginia Byway.

The proposed project would have no impact on the Virginia Byway designation.

James R. Cromwell
District Environmental Programs Manager
VDOT
1401 E. Broad Street
Richmond, VA 23219
Phone (804) 225-3608
Fax (804) 786-7401

James.Cromwell@VDOT.Virginia.gov

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Tuesday, June 22, 2010 2:32 PM
To: Crump, Lynn (DCR); Allen, Melanie L.
Subject: RE: Environmental IR Va State Police firing range/Powhatan

To clarify, I am asking if VDOT and DCR expect an impact to the scenic highway/Virginia Byway status of Old River Trail/Route 617 as a result of the proposed project.

Please respond no later than this Friday, June 25.

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

From: Wellman, Julia (DEQ)
Sent: Tuesday, June 22, 2010 11:52 AM
To: Crump, Lynn (DCR); Allen, Melanie L. (VDOT)
Subject: FW: Environmental IR Va State Police firing range/Powhatan
Importance: High

VDOT's attached comments appear to indicate that Route 617 is Old River Trail. VDOT's map indicates that it is a scenic route. However, this is not reflected in DCR's information.

Will you please provide additional information that clarifies this difference?

Does VDOT or DCR expect an impact to Old River Trail/Route 617 as a result of the proposed state police training range?

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

From: Wellman, Julia (DEQ)
Sent: Monday, May 17, 2010 1:57 PM
To: Allen, Melanie L. (VDOT); Crump, Lynn (DCR)
Subject: RE: Environmental IR Va State Police firing range/Powhatan
Importance: High

Hi Melanie and Lynn,

6/25/2010

Wellman, Julia (DEQ)

From: Allen, Melanie L. [Melanie.Allen@VDOT.Virginia.gov]
Sent: Wednesday, July 14, 2010 9:00 AM
To: Wellman, Julia (DEQ)
Subject: RE: Review Request: DSP Response (DEQ 10-017S)

Ms. Wellman,

VDOT has no additional comments.

Melanie L. Allen
Environmental Program Planner
melanie.allen@vdot.virginia.gov | 804-786-0868 | 1401 E. Broad Street
Richmond, VA 23219

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Wednesday, July 07, 2010 2:38 PM
To: Carolyn Bishop; ctucker@powhatanva.gov; carsontucker@verizon.net; Allen, Melanie L.; Adkins, Chris; Kirchen, Roger (DHR); Langan, Julie (DHR); West, Kelley (DEQ); Rhur, Robbie (DCR); Crump, Lynn (DCR); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
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Do you have additional comments?

Please respond to me no later than Wednesday, July 14.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

Wellman, Julia (DEQ)

From: Crump, Lynn (DCR)
Sent: Friday, June 25, 2010 9:40 AM
To: Wellman, Julia (DEQ); Allen, Melanie L. (VDOT)
Cc: Rhur, Robbie (DCR)
Subject: RE: Environmental IR Va State Police firing range/Powhatan 10-0175

Julia,

Here is my comment:

Since the project is on a designated scenic byway, mitigating negative impacts to the scenic qualities of the byway is essential. Screening trees should be planted along the byway and the entrance road to the project. We do not anticipate any need for road improvements. However if the access road is upgraded, the intersection must be developed in a way to enhance the safe travel along the road and not to diminish the scenic qualities of the byway.

Thanks, Lynn

Lynn Crump, L.A. ASLA
Environmental Programs Planner
DCR -Planning & Recreation Resources
203 Governor St.Ste. 326
Richmond, VA 23219
(804) 786-5054
FAX (804) 371-7899
http://www.dcr.virginia.gov/recreational_planning/srmain.shtml

From: Wellman, Julia (DEQ)
Sent: Tuesday, June 22, 2010 2:32 PM
To: Crump, Lynn (DCR); Allen, Melanie L. (VDOT)
Subject: RE: Environmental IR Va State Police firing range/Powhatan

To clarify, I am asking if VDOT and DCR expect an impact to the scenic highway/Virginia Byway status of Old River Trail/Route 617 as a result of the proposed project.

Please respond no later than this Friday, June 25.

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

From: Wellman, Julia (DEQ)
Sent: Tuesday, June 22, 2010 11:52 AM
To: Crump, Lynn (DCR); Allen, Melanie L. (VDOT)
Subject: FW: Environmental IR Va State Police firing range/Powhatan
Importance: High

VDOT's attached comments appear to indicate that Route 617 is Old River Trail. VDOT's map indicates that it is a scenic route. However, this is not reflected in DCR's information.

Will you please provide additional information that clarifies this difference?

Does VDOT or DCR expect an impact to Old River Trail/Route 617 as a result of the proposed state police training range?

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

From: Wellman, Julia (DEQ)
Sent: Monday, May 17, 2010 1:57 PM
To: Allen, Melanie L. (VDOT); Crump, Lynn (DCR)
Subject: RE: Environmental IR Va State Police firing range/Powhatan

6/25/2010

Wellman, Julia (DEQ)

From: Crump, Lynn (DCR)
Sent: Thursday, July 08, 2010 9:47 AM
To: Wellman, Julia (DEQ)
Cc: Rhur, Robbie (DCR)
Subject: RE: Review Request: DSP Response (DEQ 10-017S)

I have no additional comments.

Lynn Crump, LA, ASLA
Environmental Programs Planner
DCR -Planning & Recreation Resources
203 Governor St.Ste. 326
Richmond, VA 23219
(804) 786-5054
FAX (804) 371-7899
http://www.dcr.virginia.gov/recreational_planning/srmain.shtml

From: Wellman, Julia (DEQ)
Sent: Wednesday, July 07, 2010 2:38 PM
To: 'Carolyn Bishop'; 'ctucker@powhatanva.gov'; 'carsontucker@verizon.net'; Allen, Melanie L. (VDOT); Adkins, Chris (VDOT); Kirchen, Roger (DHR); Langan, Julie (DHR); West, Kelley (DEQ); Rhur, Robbie (DCR); Crump, Lynn (DCR); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
Subject: Review Request: DSP Response (DEQ 10-017S)

Please see the attached letter and email from the Virginia Department of State Police regarding the proposed law enforcement training facility in Powhatan County. This letter is in response to concerns raised in during the coordinated review of the environmental impact report (DEQ 10-017S) for the project.

Have your concerns regarding the proposed project been addressed?

Do you have additional comments?

Please respond to me no later than Wednesday, July 14.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

7/8/2010

Wellman, Julia (DEQ)

From: Ewing, Amy (DGIF)
Sent: Wednesday, March 10, 2010 12:11 PM
To: Wellman, Julia (DEQ)
Subject: ESSLog# 30161_10-017S_VA State Law Enforcement Training Facility
Attachments: ESSLog# 30161_Virginia State Law Enforcement Training Facility

Julia,

Our comments about this project area included in Appendix A of the EIR. I have attached them here for review in case you need them. Thanks, Amy

Amy M. Ewing
Environmental Services Biologist
Virginia Dept. of Game and Inland Fisheries
4010 West Broad Street
Richmond, VA 23230
804-367-2211
amy.ewing@dgif.virginia.gov

Wellman, Julia (DEQ)

From: Ewing, Amy (DGIF)
Sent: Tuesday, November 03, 2009 11:43 AM
To: smdonaldson@mactec.com
Cc: kdregan@mactec.com; Watts, Allester (DGIF); Irons, Ellie (DEQ)
Subject: ESSLog# 30161_Virginia State Law Enforcement Training Facility

Ms. Donaldson,

We have reviewed your request for information regarding the subject project that proposes to construct a training facility adjacent to Deep Meadows Correctional Center Canine Training Facility in Powhatan County, VA.

According to our records, the James River is located in the project vicinity and has been designated a Threatened and Endangered Species Water due to the presence of state Endangered brook floater and state Threatened Atlantic pigtoe. In addition, this river has been designated an Anadromous Fish Use Area.

A review of aerial photography and our hydrography data layer confirms that there are no stream on the project site. Assuming instream work is not necessary to access, construct, and/or maintain this site and assuming adherence to erosion and sediment controls during construction, we do not anticipate this project to result in adverse impacts upon the listed wildlife resources mentioned above. If instream work is necessary, we recommend further coordination with our agency to ensure protection of listed wildlife resources under our jurisdiction.

To minimize overall impacts to wildlife and our natural resources, we offer the following comments about development activities: We recommend that the applicant avoid and minimize impacts to undisturbed forest, wetlands, and streams to the fullest extent practicable. We recommend maintaining undisturbed wooded buffers of at least 100 feet in width around all on-site wetlands and on both sides of all perennial and intermittent streams. We recommend maintaining wooded lots to the fullest extent possible. We recommend that the stormwater controls for this project be designed to replicate and maintain the hydrographic condition of the site prior to the change in landscape. This should include, but not be limited to, utilizing bioretention areas, and minimizing the use of curb and gutter in favor of grassed swales. Bioretention areas (also called rain gardens) and grass swales are components of Low Impact Development (LID). They are designed to capture stormwater runoff as close to the source as possible and allow it to slowly infiltrate into the surrounding soil. They benefit natural resources by filtering pollutants and decreasing downstream runoff volumes.

It states in your request that no tree removal is necessary to construct the training facility. If tree removal is necessary to develop access to the site, provide staging areas, or for any other reason, we recommend that the tree removal adhere to a time of year restriction protective of resident and migratory songbird nesting from March 15 through August 15 of any year.

Please do not hesitate to contact me if you need further assistance. Thank you.

Amy

Amy M. Ewing
Environmental Services Biologist
Virginia Dept. of Game and Inland Fisheries
4010 West Broad Street
Richmond, VA 23230
804-367-2211
amy.ewing@dgif.virginia.gov

3/11/2010

Wellman, Julia (DEQ)

From: Ewing, Amy (DGIF)
Sent: Wednesday, July 07, 2010 2:53 PM
To: Wellman, Julia (DEQ)
Subject: RE: Review Request: DSP Response (DEQ 10-017S)

no further comments

amy

Amy M. Ewing
Environmental Services Biologist
Virginia Dept. of Game and Inland Fisheries
804-367-2211

From: Wellman, Julia (DEQ)
Sent: Wednesday, July 07, 2010 2:38 PM
To: 'Carolyn Bishop'; 'ctucker@powhatanva.gov'; 'carsontucker@verizon.net'; Allen, Melanie L. (VDOT); Adkins, Chris (VDOT); Kirchen, Roger (DHR); Langan, Julie (DHR); West, Kelley (DEQ); Rhur, Robbie (DCR); Crump, Lynn (DCR); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
Subject: Review Request: DSP Response (DEQ 10-017S)

Please see the attached letter and email from the Virginia Department of State Police regarding the proposed law enforcement training facility in Powhatan County. This letter is in response to concerns raised in during the coordinated review of the environmental impact report (DEQ 10-017S) for the project.

Have your concerns regarding the proposed project been addressed?

Do you have additional comments?

Please respond to me no later than Wednesday, July 14.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

7/8/2010

Wellman, Julia (DEQ)

From: Thurston, James [James.Thurston@vadoc.virginia.gov]
Sent: Wednesday, March 17, 2010 3:13 PM
To: Wellman, Julia (DEQ); ccios@powhatanva.gov; Johnson, Scott (DMME); Rice, Ronald L. (VSP)
Cc: Newton, Timothy G. (VADOC); Hawkins, David (VADOC)
Subject: RE: Reminder: Comments Due on DEQ 10-017S

Ms. Wellman this is a VSP project. The land you are referring to is being transferred to VSP by DOC and will belong to VSP when the project begins NOT DOC. DOC will have no ownership in any part of this project.

-----Original Message-----

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Wednesday, March 17, 2010 3:00 PM
To: ccios@powhatanva.gov; Thurston, James; Johnson, Scott (DMME)
Subject: Reminder: Comments Due on DEQ 10-017S

This email is a reminder that comments were due on the following environmental impact report (DEQ 10-017S) on March 10, 2010. Please comment as soon as possible to ensure that your comments can be considered during the review.

Project Description: The Department of State Police (DSP) submitted an environmental impact report for the development of a training facility for law enforcement personnel. DSP is proposing to develop the facility on a parcel of land at the existing Deep Meadows Correction Center Canine Training Facility in Powhatan County. This project is a joint effort between the Department of Corrections and the DSP, the sponsoring agency. DSP proposes to construct four firing ranges with associated range towers and two small structures during phase 1, and a classroom building, live fire building and a bunkhouse during subsequent phases. Approximately 14 acres of land, currently a field, will be disturbed during this project.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

Wellman, Julia (DEQ)

From: Forsgren, Diedre (VDH)
Sent: Tuesday, March 09, 2010 2:21 PM
To: Wellman, Julia (DEQ)
Cc: Matthews, Barry (VDH)
Subject: (10-017S) EIR: Virginia State Law Enforcement Training Facility, Department of State Police

DEQ Project #: 10-017S
Name: Virginia State Law Enforcement Training Facility
Sponsor: Department of State Police
Location: Powhatan County

VDH – Office of Drinking Water has reviewed DEQ Project Number 10-017S. Below are our comments as they relate to proximity to **public drinking water** sources (groundwater wells, springs and surface water intakes). Potential impacts to public water distribution systems or sanitary sewage collection systems must be verified by the local utility.

No groundwater wells are within 1 mile radius of the project site.

One surface water intake is located within 5 miles radius of the project site: James River Correctional Center's James River Intake is located approximately 2.8 miles downstream.

Project falls within Zone 1 and Zone 2 of this public surface water source.

Best Management Practices should be employed on the project site including Erosion & Sedimentation controls as well as Spill Prevention, Controls, and Countermeasures.

Notify the Virginia Department of Corrections - James River Correctional Center Water Treatment Plant of the scope of this project and allow them to comment.

There are potential impacts to public drinking water sources due to this project.

Diedre Forsgren

Office Services Specialist
VIRGINIA DEPARTMENT OF HEALTH
Office of Drinking Water, Room 622-A
109 Governor Street
Richmond, VA 23219
Phone: (804) 864-7241
email: diedre.forsgren@vdh.virginia.gov

Wellman, Julia (DEQ)

From: Forsgren, Diedre (VDH)
Sent: Tuesday, April 06, 2010 2:04 PM
To: Wellman, Julia (DEQ)
Subject: RE: (10-017S) EIR: Virginia State Law Enforcement Training Facility, Department of State Police

Sure!

Here goes:

PUETT, HERBERT LEE WATR SUPERINTENDENT VA. DEPT OF CORRECTIONS JAMES RIVER CORRECTION CTR WTP STATE FARM, VA 23160			
	BUS - Business	804-784-3551	2298
	MOB - Mobile	804-380-9079	

VIRGINIA DEPT OF CORRECTIONS 6900 Atmore Drive P. O. Box 26963 RICHMOND, VA 23261			
	BUS - Business	804-674-3000	

Diedre Forsgren

From: Wellman, Julia (DEQ)
Sent: Friday, April 02, 2010 3:44 PM
To: Forsgren, Diedre (VDH)
Subject: RE: (10-017S) EIR: Virginia State Law Enforcement Training Facility, Department of State Police

Will you please provide contact information for the Virginia Department of Corrections - James River Correctional Center Water Treatment Plant?

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

From: Forsgren, Diedre (VDH)
Sent: Tuesday, March 09, 2010 2:21 PM
To: Wellman, Julia (DEQ)
Cc: Matthews, Barry (VDH)

Subject: (10-017S) EIR: Virginia State Law Enforcement Training Facility, Department of State Police

DEQ Project #: 10-017S
Name: Virginia State Law Enforcement Training Facility
Sponsor: Department of State Police
Location: Powhatan County

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No groundwater wells are within 1 mile radius of the project site.

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Project falls within Zone 1 and Zone 2 of this public surface water source.

Best Management Practices should be employed on the project site including Erosion & Sedimentation controls as well as Spill Prevention, Controls, and Countermeasures.

Notify the Virginia Department of Corrections - James River Correctional Center Water Treatment Plant of the scope of this project and allow them to comment.

There are potential impacts to public drinking water sources due to this project.

Diedre Forsgren

Office Services Specialist
VIRGINIA DEPARTMENT OF HEALTH
Office of Drinking Water, Room 622-A
109 Governor Street
Richmond, VA 23219
Phone: (804) 864-7241
email: diedre.forsgren@vdh.virginia.gov

Wellman, Julia (DEQ)

From: Forsgren, Diedre (VDH)
Sent: Monday, April 12, 2010 10:12 AM
To: Wellman, Julia (DEQ)
Subject: RE: fromVDH

Hello Julia:

Well and septic systems are permitted through VDH field offices. For this project, the East Central Field Office can be reached at (804) 674-2880 for further information and guidance.

The James River Correctional Center surface water intake is located proximate to this proposed facility. The infrastructure should be evaluated to determine if it could be extended to and used by the DSP facility.

Contact information is as follows:

PUETT, HERBERT LEE WATR SUPERINTENDENT VA. DEPT OF CORRECTIONS JAMES RIVER CORRECTION CTR WTP STATE FARM, VA 23160			
	BUS - Business	804-784-3551	2298
	MOB - Mobile	804-380-9079	

Diedre Forsgren

From: Wellman, Julia (DEQ)
Sent: Wednesday, April 07, 2010 2:49 PM
To: Forsgren, Diedre (VDH)
Subject: fromVDH
Importance: High

Hi Diedre,

The EIR for this project also states that DSP will install and manage a potable well and use septic systems with leach fields.

Are any VDH permits or approvals required for either the well or the septic system?

From: Forsgren, Diedre (VDH)
Sent: Tuesday, March 09, 2010 2:21 PM
To: Wellman, Julia (DEQ)
Cc: Matthews, Barry (VDH)
Subject: (10-017S) EIR: Virginia State Law Enforcement Training Facility, Department of State Police

DEQ Project #: 10-017S
 Name: Virginia State Law Enforcement Training Facility
 Sponsor: Department of State Police

4/13/2010

Wellman, Julia (DEQ)

From: Kirchen, Roger (DHR)

Sent: Thursday, March 04, 2010 2:27 PM

To: Wellman, Julia (DEQ)

Subject: Virginia State Law Enforcement Training Facility (DEQ #10-017S; DHR File No. 2009-1519)

Although the EIR does not demonstrate due diligence in the consideration of the project's potential impact to historic resources, based on the information provided and the data available within our Archives, it is our opinion that this project is unlikely to negatively impact historic resources listed in or eligible for listing in the Virginia Landmarks Register.

Roger

*Roger W. Kirchen, Archaeologist
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221
phone: (804) 367-2323 x153
fax: (804) 367-2391
web: www.dhr.virginia.gov*

Wellman, Julia (DEQ)

From: Kirchen, Roger (DHR)
Sent: Tuesday, March 30, 2010 11:34 AM
To: Wellman, Julia (DEQ)
Subject: RE: Environmental IR Va State Police firing range/Powhatan

Julia –

Based on the data in our Archives, the Shiloh Baptist Church (DHR ID #072-0087) was organized in 1866 and a church built some time later. The original church burned in 1898 and was rebuilt by 1900. The property has not been evaluated for listing in the Virginia Landmarks Register or National Register of Historic Places; however, it is our opinion, that the County is an important stakeholder in this review process and their concerns should be meaningfully addressed. As reported in the EIR (Section 4.14), a cultural resource study has not been completed. Based on the additional information provided by Mr. Tucker, DHR recommends a study be completed that evaluates the historic significance of Shiloh Baptist Church and the adjacent Cloverdale/Pleasant Oaks (DHR ID #072-0085) and assesses the potential impact of the construction and operation of the facility on any resource considered eligible for listing in the National Register of Historic Places. If it is determined in consultation with DHR and the County that this project will negatively impact significant resources, we recommend that measures be implemented to minimize or otherwise mitigate impacts. The County should be afforded an opportunity to participate in all stages of this consultation.

Thank you for providing this additional information. If I may provide additional guidance on completing this recommended study and additional consultation, please do not hesitate to contact me.

Roger

*Roger W. Kirchen, Archaeologist
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221
phone: (804) 367-2323 x153
fax: (804) 367-2391
web: www.dhr.virginia.gov*

From: Wellman, Julia (DEQ)
Sent: Monday, March 29, 2010 2:38 PM
To: Allen, Melanie L. (VDOT); Kirchen, Roger (DHR)
Subject: FW: Environmental IR Va State Police firing range/Powhatan

This is an email from Mr. Carson Tucker with Powhatan County's Board of Supervisors regarding the Virginia State Law Enforcement Training Facility (DEQ 10-017S).

Melanie,

Mr. Tucker states that Old River Trail is a Scenic Byway.

Would you mind checking on this information? If so, do you anticipate a negative impact?

Also, would traffic impact analysis need to be conducted if the project proceeds as proposed?

Roger,

Mr. Tucker has some concerns regarding Shiloh Baptist Church. Given your original response, I am

4/2/2010



COMMONWEALTH of VIRGINIA

Douglas W. Domenech
Secretary of Natural Resources

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.virginia.gov

July 14, 2010

Ms. Julia Wellman
DEQ – OEIR
P.O. Box 1105
Richmond, VA 23218

RE: Virginia State Law Enforcement Training Facility
Powhatan County, VA
DHR File No. 2009-1519; DEQ #10-017S

Dear Ms. Wellman:

We have received for consideration additional information in support of the project referenced above. The Department of State Police (DSP) contends in their June 29, 2010 letter that the "historical data base available to us by the Commonwealth does not reference any historic property of artifacts that we would directly affect." While our Archives do not show any recorded historic resource in the proposed footprint of the facility, our records also provide no evidence that the project area has ever been systematically surveyed for historic resources. Furthermore, this project has the potential to indirectly affect the setting, feeling, and character of surrounding resources beyond the limits of the project area.

Since issuing our March 4, 2010 comments, concerns regarding this project's impact to historic resources have been brought to our attention. The historic significance of and potential impacts to Shiloh Baptist Church (DHR ID #072-0087) and Coverdale/Pleasant Oaks (DHR ID #072-0085) have been argued. Our March 30, 2010 correspondence to DEQ highlighted these concerns and included our recommendation for National Register-evaluation of these resources as well as an assessment of potential impact. We reiterate this recommendation and add that the historic significance of and potential effect to other neighboring properties should be considered. Regarding archaeological resources, evidence supporting the potential for undocumented sites within the project area has been provided, including data on adjacent sites and photographs of artifact collected nearby. The potential for archaeological sites within the footprint of the proposed facility should be assessed through a Phase I archaeological survey conducted by a qualified professional and in accordance with DHR's guidelines. As this is state property, a permit from our office is required prior to any archaeological study.

Finally, regarding the applicability of Section 106 of the National Historic Preservation Act, you have been provided a copy of our letter to the FBI concerning this project. It is our position that the funding provided by the FBI is an undertaking subject to Section 106, which requires federal agencies to consider the impact of their projects on historic properties. The federal Advisory Council on Historic Preservation shares this opinion. However, only the FBI can determine whether Section 106 applies in this case as the

Administrative Services
10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6416
Fax: (804) 862-6196

Capital Region Office
2801 Kensington Office
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Tidewater Region Office
14415 Old Courthouse Way
2nd Floor
Newport News, VA 23608
Tel: (757) 886-2807
Fax: (757) 886-2808

Roanoke Region Office
1030 Penmar Avenue, SE
Roanoke, VA 24013
Tel: (540) 857-7585
Fax: (540) 857-7588

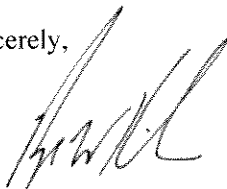
Northern Region
Preservation Office
P.O. Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

responsibility for its compliance lies solely with that agency. We will inform DEQ of any developments concerning this matter.

Regardless of the applicability of Section 106, our recommendation remains for archaeological and architectural survey prior to beginning this project. The results of these studies should be provided to DHR for review and comment. Once we have had the opportunity to review the reports, we will be able to advise the DSP and FBI on the need for additional evaluative or mitigative action.

Thank you for providing the additional information and seeking our comment on this project. We look forward to working with all stakeholders to bring this project to a successful conclusion. If you have any questions regarding these comments and recommendation, please do not hesitate to contact me at roger.kirchen@dhr.virginia.gov.

Sincerely,



Roger W. Kirchen, Archaeologist
Office of Review and Compliance

Wellman, Julia (DEQ)

From: Wellman, Julia (DEQ)
Sent: Friday, April 02, 2010 10:51 AM
To: Tignor, Keith (VDACS)
Subject: Comments on DEQ 10-017S

Importance: High

Attachments: dsp.PDF



dsp.PDF (5 MB)

Hi Keith,

Will you please take a look at this proposed project (attached) site for a Virginia State Law Enforcement Training Facility? A land transfer agreement for this parcel from the Department of Corrections to the Department of State Police was approved on March 11.

The locality indicates that the project site on prime agricultural land. Page 4-7 of the report states that this property is currently vacated agricultural land.

Do you have any comments to add about this property regarding its agricultural status? If possible, please let me know by the end of the day on Monday, April 5.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

Wellman, Julia (DEQ)

From: Wellman, Julia (DEQ)
Sent: Monday, May 17, 2010 1:39 PM
To: Tignor, Keith (VDACS)
Subject: FW: Comments on DEQ 10-017S

Importance: High

Attachments: dsp.PDF



dsp.PDF (5 MB)

Hi Keith,

I'm just following up on this email. We have suspended this project due to concerns of the locality, and I contacted you to see if you have anything to add on the agricultural issue.

You'll also receive a separate email from me regarding a citizen's concerns.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

-----Original Message-----

From: Wellman, Julia (DEQ)
Sent: Friday, April 02, 2010 10:51 AM
To: Tignor, Keith (VDACS)
Subject: Comments on DEQ 10-017S
Importance: High

Hi Keith,

Will you please take a look at this proposed project (attached) site for a Virginia State Law Enforcement Training Facility? A land transfer agreement for this parcel from the Department of Corrections to the Department of State Police was approved on March 11.

The locality indicates that the project site on prime agricultural land. Page 4-7 of the report states that this property is currently vacated agricultural land.

Do you have any comments to add about this property regarding its agricultural status? If possible, please let me know by the end of the day on Monday, April 5.

Regards, Julia

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Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

Wellman, Julia (DEQ)

From: Wellman, Julia (DEQ)
Sent: Wednesday, July 07, 2010 2:38 PM
To: 'Carolyn Bishop'; 'ctucker@powhatanva.gov'; 'carsontucker@verizon.net'; Allen, Melanie L. (VDOT); Adkins, Chris (VDOT); Kirchen, Roger (DHR); Langan, Julie (DHR); West, Kelley (DEQ); Rhur, Robbie (DCR); Crump, Lynn (DCR); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
Subject: Review Request: DSP Response (DEQ 10-017S)
Attachments: fromdsp.response.PDF; fromdsp.alternatives.pdf

Tracking:	Recipient	Delivery	Read
	'Carolyn Bishop'		
	'ctucker@powhatanva.gov'		
	'carsontucker@verizon.net'		
	Allen, Melanie L. (VDOT)		
	Adkins, Chris (VDOT)		
	Kirchen, Roger (DHR)	Delivered: 7/7/2010 2:38 PM	
	Langan, Julie (DHR)	Delivered: 7/7/2010 2:38 PM	Read: 7/7/2010 2:46 PM
	West, Kelley (DEQ)	Delivered: 7/7/2010 2:38 PM	Read: 7/8/2010 12:03 PM
	Rhur, Robbie (DCR)	Delivered: 7/7/2010 2:38 PM	
	Crump, Lynn (DCR)	Delivered: 7/7/2010 2:38 PM	Read: 7/8/2010 9:38 AM
	Ewing, Amy (DGIF)	Delivered: 7/7/2010 2:38 PM	Read: 7/7/2010 2:51 PM
	Irons, Ellie (DEQ)	Delivered: 7/7/2010 2:38 PM	Read: 7/7/2010 2:42 PM

Please see the attached letter and email from the Virginia Department of State Police regarding the proposed law enforcement training facility in Powhatan County. This letter is in response to concerns raised in during the coordinated review of the environmental impact report (DEQ 10-017S) for the project.

Have your concerns regarding the proposed project been addressed?

Do you have additional comments?

Please respond to me no later than Wednesday, July 14.

Regards, Julia

Julia Wellman
 Environmental Impact Review Coordinator
 Virginia Department of Environmental Quality
 PO Box 1105
 Richmond, VA 23218
 Phone: (804) 698-4326
 Fax: (804) 698-4319
 NEW E-mail: Julia.Wellman@deq.virginia.gov

7/21/2010

Wellman, Julia (DEQ)

From: Wellman, Julia (DEQ)
Sent: Thursday, July 29, 2010 4:07 PM
To: Rice, Ronald L. (VSP); Rhur, Robbie (DCR); Langan, Julie (DHR); Eaton, Ethel (DHR); Watts, Allester (DGIF); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
Subject: DEQ 10-017S: Powhatan County's Comments

Attachments: fromMr.CarsonTuckerJuly27withattachment.pdf; response to DEQ on the EIR 2.pdf



fromMr.CarsonTuck response to DEQ
erJuly27witha... on the EIR 2.p...

If you would like to comment, please respond to me by Monday,
August 9, 2010.

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

Wellman, Julia (DEQ)

From: Wellman, Julia (DEQ)
Sent: Friday, July 30, 2010 9:39 AM
To: Rice, Ronald L. (VSP); Rhur, Robbie (DCR); Langan, Julie (DHR); Eaton, Ethel (DHR); Watts, Allester (DGIF); Ewing, Amy (DGIF)
Subject: FW: Balzer Report
Attachments: 7-28-2010 BALZER REPORT ON VSP FIRING RANGE (Y0001862).PDF



7-28-2010 BALZER
REPORT ON VSP..

Part II of the comments.

If you would like to comment, please respond to me by Monday, August 9, 2010.

-----Original Message-----

From: Wellman, Julia (DEQ)
Sent: Thursday, July 29, 2010 3:41 PM
To: Rice, Ronald L. (VSP); Rhur, Robbie (DCR); Langan, Julie (DHR); Eaton, Ethel (DHR); Watts, Allester (DGIF); Ewing, Amy (DGIF)
Cc: Irons, Ellie (DEQ)
Subject: DEQ 10-017S, Brian Buniva's comments on proposed DSP range in Powhatan County

Attached are comments (Part I) from Brian Buniva, who states that his clients are two citizens from Powhatan County. These comments include a study "focused toward indentifying potential safety and noise issues as they pertain to the proposed firing range." I will send you Part II of the comments when I receive them.

We are providing the report so you will have an opportunity to comment. If you would like to comment on the report, please respond to me by Monday, August 9. If you have no comments, please let me know that as well.

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

-----Original Message-----

From: BBuniva@eckertseamans.com [mailto:BBuniva@eckertseamans.com]
Sent: Thursday, July 29, 2010 5:21 PM
To: Wellman, Julia (DEQ)
Cc: jfrick@johnricklaw.com; cbishop@powhatanva.gov; carsontucker@verizon.net; cowlino@verizon.net; MSMITH620@aol.com; nsales@co.goochland.va.us; rcwill133@aol.com
Subject: Balzer Report

(See attached file: 7-28-2010 BALZER REPORT ON VSP FIRING RANGE (Y0001862).PDF)

Here is the PDF of the Balzer Report that I filed with you yesterday. I have it on CD if that would be easier for you.

Regards,



RECEIVED

MAY 06 2010

DEQ-Office of Environmental
Impact Review

Colonel W. S. (Steve) Flaherty
Superintendent

(804) 674-2000

COMMONWEALTH of VIRGINIA

DEPARTMENT OF STATE POLICE

Lt. Col. Robert B. Northern
Deputy Superintendent

P. O. BOX 27472, RICHMOND, VA 23261-7472

May 3, 2010

Mr. Carson Tucker
Board of Supervisors
County of Powhatan, Virginia
3834 Old Buckingham Road, Suite A
Powhatan, VA 23219

Re: Virginia State Law Enforcement Training Facility
Powhatan, Virginia
PC# 156-17805

Dear Mr. Tucker:

This will follow up our meeting with you and the County Planner on April 16, 2010. We are trying to provide the additional information that you requested:

Traffic Impact Study Requirement Status – We have made additional inquiries with the Virginia Department of Transportation and personnel with Powhatan County Planning Office. We were instructed by both authorities to proceed with the VDOT entrance permit and that a traffic impact study would not be required. We applied for the entrance permit on April 20, 2010. The access will be considered a private entrance and will be gated and controlled.

Exterior Lighting – The light fixtures will not be operated as dusk to dawn fixtures and will be controlled by electrical switch devices. The fixtures will be only be in use when the range is in use at night and when this happens range activities are over by 9 pm. The fixtures are in full compliance with Powhatan County Zoning Ordinance 27A and meet the counties night sky criteria.

Noise Levels - We have incorporated all sound control measures that are currently in use at public safety training ranges. We will also be planting the evergreens on top of all the berms as you requested. The range will be in use during normal business hours (8 am to 5 pm). There will be limited nighttime use and all use of the range at night will end by 9 pm if not before. Range activities will never be conducted on Sundays. Quantitative sound level predictions are not currently available.

Page 2
May 3, 2010
Mr. Carson Tucker

Please advise if you need any additional information. Again we would be glad to meet with any of your constituents or neighbors if you so desire.

Sincerely,



Ronald L. Rice
Capital Outlay Program Director

Cc: Ms. Carolyn Bishop (Administrator, County of Powhatan)

→ Ms. Julia Wellman (DEQ)

Ms. Ellie Irons (DEQ)



Colonel W. S. (Steve) Flaherty
Superintendent

(804) 674-2000

COMMONWEALTH of VIRGINIA

DEPARTMENT OF STATE POLICE

P. O. BOX 27472, RICHMOND, VA 23261-7472

June 28, 2010

Lt. Col. Robert B. Northern
Deputy Superintendent

RECEIVED

JUN 29 2010

DEQ-Office of Environmental
Impact Review

Ms. Julia Wellman
Office of Environmental Impact Review
Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218

Re: Virginia State Law Enforcement Training Facility – Powhatan County
Environmental Impact Review
PC# 156-17805, DEQ # 10-017S

Dear Ms. Wellman:

The Department of State Police (DSP) request that DEQ proceed with the final review of this particular project and proceed with the formal final decision package to the Secretary of Administration.

On June 8, 2010, DSP attended a public information meeting with citizens, county officials and members of the General Assembly. The purpose of the meeting was to share information about the project and exchange comments from all parties in attendance.

There are numerous aspects of the project for which the County is concerned which we cannot address, since it appears that the County does not desire for the project to be located within the county boundaries and those concerns are not directly related to the operation of the range. We can however, address some of the concerns which are directly related to the use and operation of the range – noise, possible errant ammunition rounds and traffic. In addition, it is our opinion that we have not created any environmental issues with the range.

- **Noise Abatement Measures:** We have created 15' and 20' minimum earthen berms with additional evergreen plantings on the top to reduce the noise impact. This is the industry standard now used by the FBI and other public safety agencies and has been found to greatly reduce the

- noise impact. In addition we have placed several restrictions on the scheduled use of the range.
- Noise Measurements: We have also taken actual sound level measurements (db) with all the weapons we would be using at the range facility. The measurements were taken at point of the shooter and at 2400 feet away which is according to our measurements the closest residence structure to the planned point of the shooter. The measurements were taken at the range in Goochland. This range is similar to the planned range in Powhatan, however it does not have the level of sound reduction berms that the new range will have.
- Sound Levels: Please keep in mind that the average existing ambient sound level was 65 db at the site when the weapons were fired, i.e. existing background noise.

Type	At Weapon	2400'	Exst. Amb.	Spike
.357 Pistol	120.4	85.6	65	20.6
M-4 Rifle	122.3	90.0	65	25.0
Shotgun	119.9	92.4	65	27.4
MP-5 40 cal.	121.4	75.3	65	10.3
308 Rifle	118.6	90.1	65	25.1

- Errant ammunition rounds: All gun firing will occur towards the James River with a lead collection backstop system in place. In addition the 20 foot high berm to the rear of all range targets will provide additional protection. The rifle range system target backstop is approximately 10,000 feet away from any possible areas of risk and we believe the chance that an errant round will hit any area of risk is very remote.
- Traffic: According to a very careful analysis of the three parties' use of the range, the maximum number of vehicles that would travel to the range is 35 vehicles at a given time. We do not believe this creates any burden to the area or public road system.
- Affects on Church in Vicinity of Range: We have made a commitment to the church leaders of Shiloh Baptist Church that whenever they are conducting any type of formal service at the church we will not conduct

Page 3
June 28, 2010
Ms. Julia Wellman

- any range operations. This is of course contingent upon the church giving us an advance notice.
- Historical Significance: Numerous comments have been made about the historical nature of the area. We are unaware and the historical data base available to us by the Commonwealth does not reference any historical property or artifacts that we would directly affect. Again we are proposing a facility that is on and very close proximity to an existing major correctional facility which to our knowledge has not been referenced as affecting any historical properties.

During the small land disturbance that occurred last month, we discovered that the Department of Game and Inland Fisheries was responsible for this occurrence. Evidently they decided to proceed with relocating the road entrance which we had discussed among the agencies approximately one year ago. Once we discovered what was occurring we asked them to stop work and remove all equipment which they did. They had stripped a small area of top soil approximately 20 feet by 150 feet which they repaired the same day. We asked them to do no further work until they received written confirmation from us.

Sincerely,



Ronald L. Rice
Capital Outlay Program Director

Wellman, Julia (DEQ)

From: Rice, Ronald L. [Ronald.Rice@vsp.virginia.gov]
Sent: Thursday, July 01, 2010 8:55 AM
To: Wellman, Julia (DEQ)
Cc: Irons, Ellie (DEQ)
Subject: RE: DSP response letter

Julia,

I will address your questions in this email, if you need the response in letter form let me know and I will be glad to send you one.

As you are aware an offer was made by Brunswick County to relocate the range to that County. Unfortunately the location is not conducive to the personnel who would be using the facility. Almost all of the training will be by personnel who are assigned permanently or temporarily (training academy students). Too much time would be lost in travel to and from the facility to make it a practical site.

The Fort Picket site is closer but not as practical as the Powhatan Site, also since the FBI is providing the most significant amount of funding for the project they had certain restrictions on how far from their Richmond office they were willing to locate the facility.

Ronnie

Ronnie Rice
Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov

-----Original Message-----

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Tuesday, June 29, 2010 4:32 PM
To: Rice, Ronald L.
Cc: Irons, Ellie (DEQ)
Subject: FW: DSP response letter

Ronnie,

Today I received your letter (dated June 28, 2010) regarding the proposed DSP training facility in Powhatan County.

In addition to the information provided in the letter, DEQ OEIR requested an analysis of alternative project sites (please see my email below).

Will you please address the question of alternative project sites and DSP's consideration of these sites?

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

-----Original Message-----

Wellman, Julia (DEQ)

From: Rice, Ronald L. [Ronald.Rice@vsp.virginia.gov]
Sent: Tuesday, April 06, 2010 2:09 PM
To: Wellman, Julia (DEQ)
Subject: RE: Environmental IR Va State Police firing range/Powhatan
Julia,

It is an 18 acre parcel but only 14 acres will be disturbed.

Ronnie

Ronnie Rice
Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Tuesday, April 06, 2010 1:56 PM
To: Rice, Ronald L.
Subject: RE: Environmental IR Va State Police firing range/Powhatan
Importance: High

Will 18 acres or 14 acres of land be disturbed for the project? Pages 5-1 and 2-2 contain conflicting information? Thanks.

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

From: Rice, Ronald L. [mailto:Ronald.Rice@vsp.virginia.gov]
Sent: Tuesday, April 06, 2010 10:12 AM
To: Wellman, Julia (DEQ)
Subject: RE: Environmental IR Va State Police firing range/Powhatan

Julia,

I said Route 619, but it actually Route 617

Ronnie Rice
Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov

From: Rice, Ronald L.

4/6/2010

Wellman, Julia (DEQ)

From: Rice, Ronald L. [Ronald.Rice@vsp.virginia.gov]
Sent: Tuesday, April 06, 2010 10:12 AM
To: Wellman, Julia (DEQ)
Subject: RE: Environmental IR Va State Police firing range/Powhatan
Julia,

I said Route 619, but it actually Route 617

Ronnie Rice

*Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov*

From: Rice, Ronald L.
Sent: Tuesday, April 06, 2010 9:48 AM
To: Wellman, Julia (DEQ)
Subject: RE: Environmental IR Va State Police firing range/Powhatan

Julia,

The proposed range is located within the Dept. of Corrections property. The range property has been transferred to VSP. DOC property completely surrounds the range.

In order to gain access to the site, we will be using St. Route 619 and from there, we will use an internal DOC access road to get to the range.

I hope this clarifies this for you?

Ronnie Rice

*Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov*

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Tuesday, April 06, 2010 8:49 AM
To: Rice, Ronald L.
Subject: RE: Environmental IR Va State Police firing range/Powhatan

I need to wrap up this project by tomorrow at the latest.

Have you received any additional information about access to the proposed site?

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319

4/6/2010

Wellman, Julia (DEQ)

From: Rice, Ronald L. [Ronald.Rice@vsp.virginia.gov]
Sent: Tuesday, June 01, 2010 2:29 PM
To: Wellman, Julia (DEQ); kdregan@mactec.com; smdonaldson@mactec.com
Subject: RE: Powhatan Firing range

Julia,

Here are my comments to the questions raised by Mr. Snyder:

The proposed location is part of the farm or agriculture tract of land at the Powhatan Correctional Center. Our proposed location is not currently farmed by the Correctional Center and is the location that the Department of Corrections indicated would best suit for the range. The septic tank/drain field system will be designed by a professional engineer in accordance with the Dept. of Health requirements and a permit obtained for its construction in accordance with Commonwealth of Virginia requirements.

The target system to be constructed at this range will have a lead collection trap system so that the lead can be re-cycled and not have to treat as hazardous waste.

In the Richmond region the Department of State Police is currently using a shared range at Camp 13 in Chesterfield County and a shared range at Department of Corrections Property in Goochland County. Because of the current use of these ranges by all parties involved, the Department of State Police cannot accomplish all of the required training in an efficient and timely manner. Also the range in Chesterfield County is very old and does not have a very efficient lead collection system.

Ronnie Rice

*Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov*

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Tuesday, June 01, 2010 1:00 PM
To: Rice, Ronald L.; kdregan@mactec.com; smdonaldson@mactec.com
Subject: FW: Powhatan Firing range
Importance: High

I am emailing regarding the environmental impact report (DEQ # 10-017S; MACTEC # 3111-09-0552) regarding the proposed Virginia State Law Enforcement Training Facility in Powhatan County.

I am forwarding comments (attached and below) received from a citizen.

Will you please review this information and respond to me?

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality
PO Box 1105
Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

6/10/2010

Wellman, Julia (DEQ)

From: Rice, Ronald L. [Ronald.Rice@vsp.virginia.gov]
Sent: Monday, July 19, 2010 12:56 PM
To: Wellman, Julia (DEQ)
Cc: Weeks, Richard (DEQ); Irons, Ellie (DEQ)
Subject: RE: DEQ 10-017S, proposed training range, noise and distance questions

Julia,

We went to range in Goochland at DOC property and shot all the weapons we currently train on. Sound Decibel readings were taken at the shooter and 2400 feet downrange. The measurements were taken with a decibel reader. Concerning the distance of 2400 feet, we went to the actual proposed location of the range and did an actual on site field measurement to the closest residence. The number did not come from a map or other printed material for the area.

Ronnie

Ronnie Rice
Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov

-----Original Message-----

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Monday, July 19, 2010 12:40 PM
To: Rice, Ronald L.
Cc: Weeks, Richard (DEQ); Irons, Ellie (DEQ)
Subject: DEQ 10-017S, proposed training range, noise and distance questions

Hi Ronnie,

I am following up on concerns identified by citizens about the proposed training range regarding the sound measurements and the distance to the nearest residence. These issues also were discussed in an article published in the Richmond Times-Dispatch on July 17, 2010.

Can you verify the accuracy of the sound levels and the distance to the nearest residence provided in the June 28, 2010 letter from the DSP?

Regarding the distance to the residence, the DSP letter states that the closest residence is 2,400 feet away from the "planned point of the shooter." We have received information from a citizen stating that her home is 1,400 feet away, and information in the news article states that the closest home is approximately 1,300 feet away.

If you could please respond as soon as possible, I would appreciate it. Please feel free to contact me if you have any questions.

Regards, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

Wellman, Julia (DEQ)

From: Rice, Ronald L. [Ronald.Rice@vsp.virginia.gov]
Sent: Friday, March 26, 2010 9:39 AM
To: Wellman, Julia (DEQ)
Subject: FW: Environmental IR Va State Police firing range/Powhatan

Hi Julia,

I received this email this morning from Mr. Carson Tucker with Board of Supervisors with Powhatan County. Evidently he tried to send this to you but was unsuccessful.

Please review and let me know what Virginia State Police should do next.

Ronnie

Ronnie Rice
Capital Outlay Program Director
Virginia State Police
804-674-2118
Fax 804-674-2447
Ronald.Rice@vsp.virginia.gov

From: CL TUCKER [mailto:carsontucker@verizon.net]
Sent: Friday, March 26, 2010 9:26 AM
To: Rice, Ronald L.
Cc: cbishop@powhatanva.gov
Subject: Environmental IR Va State Police firing range/Powhatan

Mr Rice:

I am responding to Mactec Engineering's Project No.: 3111-09-0552.

I am District 5 representative of the Powhatan County Board of Supervisors. The firing range is in this District.

Ms Bishop referenced above is the County Administrator.

I tried to communicate my concerns and questions to Julia Wellman, but the email was kicked back. I still don't know to whom I'm supposed to respond, so you're chosen. Nothing I say herein should be taken personally by you, but somebody has to hear.

Let me start by saying two things, before I comment on the Mactec document in specifics:

1. We in Powhatan have begged DOC to make us part of the planning process for this and other DOC projects in Powhatan. I will not bore you with the particulars of force-down-your-throat attitudes of the past. Suffice it to say that we have on numerous occasions found ourselves on the receiving end of fait accompli, where DOC has determined, without consultation with its host County, to build/expand facilities - a Richmond City landfill, a medium security facility on top of multiple other facilities, a trailer park, etc etc. (I realize you are VSP and not DOC but your name is on the most recent project; since I haven't been given the courtesy of a principle from DOC, perhaps you can kindly pass this on to the PTB in DOC). To continue: a year ago, I had a Townhall Meeting of my constituents who live on Old River Trail and who had concerns and questions about rumors of building projects at PCC/Deep Meadow Corrections facilities. Among many other things, the proposed firing range(FR) was discussed with DOC officials. WE WERE PROMISED THAT WE WOULD BE KEPT IN THE INFORMATION LOOP, that we would be involved in the planning process, and that our concerns would be listened to. After all, this facility is in our neighborhood. We left the meeting with confidence that we would be part of the process. I now get an EIR and less than a week to respond...at a time when we are working round-the-clock on a very difficult budget. My intent was to have a mtg again of my constituents to discuss any such proposal, and have reps from DOC/VSP present to answer questions and try to allay fears or misconceptions. More important, we had been promised we would be part of the planning process. There is no way I can get a place, get the word out, arrange with DOC/VSP reps to be present, etc., in the time I have. I therefore request an extension before the next step is taken.

3/29/2010

2. I do not find the Mactec report particularly useful. Most of it is a collection of studies from other sources. Which leads me to point 3...

3. It appears the study is a fairly shallow pro forma, to get a check in a box somewhere that says an EIR was done, that alternatives were indeed identified and evaluated, and that lo! the alternative we wanted to begin with is the ONLY viable path forward.

Okay, that's the preamble. Here are some brief comments and questions, which should be answered, in my opinion, in a public forum:

2.2: perimeter earthen berms--we'd like to see the plat plans

2.2.2: what is the lighting plan? Powhatan has a dark-sky ordinance; the prisons already light up the night sky and to a large extent ruin the night sky within several miles of the various compounds. Can any lighting be dark-sky compliant? Will there be night use of the facility? Hours of operation? If lights are left on, which will be inevitable, who do citizens call? What's the guarantee someone will be on the other end of the phone (not very good at present for problems)? We know it's a VSP operation, but it's on DOC land. Who's responsible?

2.2.3: Where's the line to be located? How large?

2.2.4: All projects in the County of this potential impact have to have a TIS. (Let's this out on the table: we know that state land in a community is often/ most often not regulated by County ordinances, but in the spirit of good neighbors, let us talk about these things; I assume that's why you've invited my input).

Old River Trail is a Commonwealth Scenic Highway. We are very concerned about its potential degradation. We had been led to believe that the access to the facility would be through the PCC/Deep Meadow property and not off Old River Trail. Elsewhere in Mactec's report a similar statement is made. We need clarity on this.

2.2.5: we appreciate that no firearms or ammunition will be stored on site. I went to a military school and the ammunition lockerhouse was broken open more than once using heavy equipment to get at the ammunition. This facility is so far from existing DOC facilities that we're concerned that even without ammunition, the facility will tempt vandals, etc. At least perhaps signs posted on the buildings indicating no ammunition is stored on site. And a secure farmroad access gate (not used for FR access) on Old River Trail.

3.1: "Existing challenges". This means nothing to us. It is an easy-out filler comment. what does it mean?

3.2: Very unconvincing argument. Please share the analysis that helped you arrive at this decision.

4.2: What do you call Shiloh Baptist Church, established by freed slaves just after the Civil War and home of artist Julien Binford's famous mural "Crossing the Jordan"?

4.3 last paragraph: this is ingenuous. One of these facilities is 20 miles away and the other is 4+ miles away. This is misleading by a long shot: "in the vicinity" not.

4.4: This is not true. This land is prime ag land and has had bumper crops in the past. Elsewhere in your report you actually describe it as "tilled." If it is no longer in production, it is so because DOC mgmt has taken it out of production. This sounds suspiciously like "take it out of production so we can say it's not in production."

4.6: Is this absolutely correct? Does this also mean that DOC/VSP won't turn around next year and say "we made a mistake and now we've determined that access to Old River Trail is the only best way into the facility?" Don't laugh: this has happened before.

4.14: Make sure Shiloh is included, and just across the street is Pleasant Oaks, where itinerant preacher (see University of Richmond's study) Rev Woodson is buried.

5.4: See 4.4 above.

5.5: This is an unacceptable answer. It is not Powhatan's fault that one state agency is not responding to another state agency's legitimate request. Traffic is a major concern.

I do not understand why this is even an issue if, as is said elsewhere in the Mactec report, that access will be through the State Farm property. I cannot emphasize enough how important this will be as the project unfolds.

5.14: We need to sit down and actually see a plat and the proposed sound berms. I want to believe the statements about sound abatement and lead recovery, but more discussions need to occur to get me comfortable and to help me be prepared for residents' concerns.

6.1: I, as the elected official, should have been contacted. A lot of this angst and the distress of the residents could have been avoided had there been an affirmative outreach. Now you are in, as always, recovery and repair mode.

SUMMARY

1. You, somebody, needs to meet with me.

2. You, somebody, needs to meet with the constituents of this neighborhood.

3. You, or somebody, needs to be prepared to deal with the questions (and others) I've raised in this note.

4. You must not take this personally.

5. Nothing herein should suggest that Powhatan and the local mgmt of DOC facilities are at odds. The relationship between the two is sound and cooperative. As in the past, the relationship seems to break down at the HQ level, which we perceive to be making decisions from a desk without thoughtfulness of what it actually looks like on the ground in a real neighborhood.

6. I'd much appreciate you putting this initial response into the hands of the appropriate parties.

7. I will meet with anybody from DOC and/or VSP at any time, anywhere.
8. I will call a mtg of residents, with enough leadtime, anytime to allow concerns/Q&A's to be surfaced.
9. I thank you for being on the receiving end of this lengthy msg.

Respectfully,
Carson Tucker
804 598 2213

Wellman, Julia (DEQ)

From: Dorothy Livick [ds49737@gmail.com]
Sent: Sunday, July 25, 2010 12:45 PM
To: Wellman, Julia (DEQ)
Cc: Bbuniva@eckertseamans.com; JFRick@johnricklaw.com; MSMITH620@aol.com; CL TUCKER
Subject: from Carson Tucker re VSP firing range
Ms. Wellman:

Thank you again for your courtesy in extending the comment period on the VSP Firing Range.

I want to reiterate the extraordinary number of organizations that stand in opposition:

1. Powhatan County, through a unanimous vote of its Board of Supervisors
2. Goochland Country, through a unanimous vote of its Board of Supervisors
3. Powhatan Farm Bureau
4. Powhatan County Historical Society
5. Congregation of Shiloh Baptist Church
6. Friends of the Scenic Byways
7. Michaux-St. James Foundation, Inc.
8. Residents of Old River Trail
9. Homeowners of Aston
10. Homeowners of River Bluffs (Goochland)
11. Homebuilders of Aston, Oakleigh, and Taurman Park

What makes this list extraordinary, in addition to its length, is the fact that so many of these organizations historically see so little through similar eyes. That they do in this case says something very loud.

Respectfully,
Carson Tucker

Wellman, Julia (DEQ)

From: Dorothy Livick [ds49737@gmail.com]
Sent: Tuesday, July 27, 2010 7:32 AM
To: Wellman, Julia (DEQ)
Cc: Bbuniva@eckertseamans.com; CL TUCKER
Subject: From Carson Tucker: response to DEQ on the EIR
Attachments: response to DEQ on the EIR.docx

Ms. Wellman:

Attached are some of my comments on the VSP responses to our questions about the original EIR. Our attorney, Mr. Brian Buniva, will be sending a more detailed response.

Respectfully,

Carson Tucker
Powhatn Board of Supervisors

8/23/2010

1. In responding to concerns about overshots, skips, ricochets, or elevated shots that could clear the backstop berm, a VSP representative indicated, "Our snipers won't miss the backstop." This is disingenuous at best. Any range officer will tell you that mistakes do indeed happen. Furthermore, if the snipers never miss, what is the training for? See also the apparent contradiction with VSP's comments below, #2.
2. When asked about the issue of overshots, the VSP representative indicated it wasn't an issue anyway because overshots would fall onto James River Correctional Center land in Goochland. Clearly, neither he nor the EIR contractor had looked at a map—perusal of which clearly shows the area across the river is private property with multiple homes. James River Correctional Center land is more than a mile downstream. This is an egregious oversight/misstatement.

These kinds of errors in "small things that aren't an issue anyway" call into question what actually are "large issues." It also calls into question what other errors, oversights, misstatements are in the EIR and other VSP statements: if we can't trust statements about small things, why should we, DEQ, or the Commonwealth's leaders trust statements about "large things"?

Concerning issues 1 and 2, we have hired our own engineers to map and project overshots, etc. Furthermore, we have for you a notarized affidavit from a retired military Range Officer discussing the criteria used for military ranges, the protocols used, the siting of, and the incidence of errant rounds. Since public safety is our major concern, and we assume the primary concern of VSP/FBI, this issue cannot be overstated. Let me sum up by saying that we, as well as our friends in Goochland County, are deeply disturbed that the EIR does not deal with overshots, errant rounds, ricochets; does not recognize that the proposed range is on top of a hill so that overshots and misses become plunging fire; and especially that apparently no on-site, or topo map, or downrange investigation was done—that no consideration was given to present and future recreational use of the river, that no mention is made of the 9000' straight-line to River's Bluff Subdivision in Goochland County.

3. Powhatan County is in the top 10 highest-growth counties in Virginia, with a population increase of 45.99%, between censuses, and is mandated by section 15.2-2223.1 of Virginia's Code for the designation of Urban Development Areas. This is recognition by the General Assembly of what we in the County know experientially: that the growth rate is and will continue to be extraordinary. In the area of the proposed VSP firing range, 200 new home sites have been approved in the last couple of years (Aston, Oakleigh, Taurman Park, etc.) This is exponential growth, growth on top of the existing communities, growth that clearly begs the question of whether such a project (with its noise and safety issues) is appropriate.
4. The hours of operation, the number of weeks' use per year, the users, etc., are all identified in various places in the EIR and VSP communiqués (some of these specifics are contradictory in the EIR versus letters and comments by VSP officials). We all, however, have seen many instances where one thing is said (promised, agreed-to, etc.) and then later changed. There is no guarantee that hours of operation will remain as presented. There is no guarantee that lights will be turned off. There is no guarantee that the range will only be used 26 weeks a year. There is no guarantee that only FBI, VSP, GIF will use the range. There is no guarantee that only the weapons listed will be used. Once a capital investment is made on the ground, the natural

urge will be to maximize/optimize usage. Any business, any restaurant will tell you: don't let an asset lie idle. We, in fact, have been told point-blank that whatever is promised by one Governor, or one set of public officials, is not, repeat not, binding on subsequent Governors or officials.

5. The VSP has indicated that someone at Shiloh Baptist Church will call to notify the Range Officer of planned activities: church services, funerals, weddings, Bible studies, etc. The Range Officer will suspend firing for the duration of such activities. This is an admission that there is a problem. Shiloh ("place of peace") is actually twice as far from the proposed range as are multiple private homes.
6. In the original EIR, section 4.4 Agriculture says, "At this time, the property is not being used to produce any food, feed, fiber, forest product, forage or other agricultural crop of significant value to the community." This is repeated verbatim in section 5.4. Three pages further into the EIR, in section 5.10, sections 4.4 and 5.4 are contradicted, viz.: "The project area is currently a mowed and tilled field." And further: "The project study area has been tilled and farmed for over 20 years." Those who live here can attest to bumper crops of corn and forage. Furthermore, in July of this year, the attached photograph was taken (hard copy sent under separate cover to your office). It shows exactly the acreage of the proposed range. Clearly, the statements in the EIR, sections 4.4 and 5.4, are wrong. This is indeed productive land and has been for many years. We who live here are witness to the fact. I am not at liberty to implicate by giving a specific name, but the nearest neighbor to the firing range, a farmer whose family has farmed the land for 150 years, and who has a cooperation agreement (handshake) with DOC Farm Management for mutual help in emergency situations, was told this past week by a member of DOC Farm Management that DOC-FM was dismayed to be having this productive land withdrawn from production.
7. Funding of this facility remains murky. Congressman Forbes has received a letter from the FBI saying no funding is earmarked. This contradicts what the VSP has said repeatedly. No one seems to know how the appropriation got into the state budget. No one seems particularly concerned by these contradictions and questions. This is very distressing to all citizens and calls into question the legitimacy of the whole project budgeting, selection, etc., process.
8. In Delegate Ware's June 8 public informational meeting, Lt. Col. Kemmler said VSP was cooperating with the community in every way. As an example, he cited "VSP's willingness, after being approached by the homeowner, to relocate the entrance of the firing range from the present gate into DOC property 30 yards further northwest on Old River Trail so that headlights coming out of the firing range property would not shine onto the front of the home directly across the street." Two points: (a) there's supposed to be little or no nighttime activity at the range, according to the EIR and VSP superintendent Flaherty's 6/21/10 letter; and more importantly, (b) the owner of that home was in the audience on June 8 and told me afterwards that his jaw dropped open because no one—neither DOC nor VSP—had ever engaged him in any such conversation.

9. When bulldozers began cutting the entrance road to the firing range last month, before any approval of the facility or release of the project by DEQ, multiple people called DEQ and DEQ asked DOC to desist.

The VSP representative's response, quoting, he says, DOC sources, was that the bulldozer work was not in any way connected with the VSP firing range and was simply ditch clearing. This is absolutely and blatantly disingenuous. No ditch work, maintenance, clearing, or drainage improvements were necessary except for a new entrance to the firing range. Recently the work was re-started and completed and it is clear what it is and what it's for. I, for one, am shocked that officials of the state would prevaricate like this.

10. We are surprised that VSP has refused to do a comprehensive noise study, given the close proximity to homes and Shiloh. We are distressed by the dismissal of this issue by VSP which does indeed affect DOC's and VSP's neighbors. It is as if this is a non-issue for the VSP. We are doing our own noise research and are consulting our own acoustical engineers.
11. David Paylor's letter (6/30/2010) from the state indicates state projects are not exempted from noise ordinances. Powhatan has such an ordinance.
12. We are dismayed by the no-response by VSP to Powhatan's analysis of reduction in property values. Similarly, Goochland's Robert Williams' appraiser's analysis of July 20 of the effect on Goochland property values has elicited no response.
13. VSP's response to our comments on the original EIR fails to do due diligence to alternatives we identified. Indeed, even the relatively shallow response addresses only two of the several alternatives we identified.
14. Nowhere in the EIR is recognition given to Old River Trail as a state-recognized Scenic Byway. It is so shown on state highway maps. The Commonwealth designated, at the County's request, this road as a special byway, based on viewsheds, beauty, history, and environment. Yet no consideration by VSP is even hinted at.
15. The June 8 comments by adjacent farmers and niche farmers have not in any way been addressed in the VSP representative's response.
16. I hesitate to continue to use the word "disingenuous." However, one more time. In EIR section 4.6: "Access to the facility will be through the prison property. No additional access to public roads is planned." At first reading, this sounded good: the Scenic Byway, winding Old River Trail, would apparently see no traffic increase. But see the contradiction with items #8 and #9 above.
When we tried to understand what was going on, we discovered that a small piece of land between Old River Trail and the proposed firing range would be retained by DOC, thus allowing the statement in EIR section 6.4. Again, I am flabbergasted that such playing-with-the-truth would be foisted on residents.

Summary

We believe this proposed project is wrong for this location. Public safety, noise, disruption of a Scenic Byway, and degradation of property values are among the most salient objections.

But as importantly, we question the consultant's due diligence and comprehensiveness. We take issue with multiple EIR assertions that "everything is fine."

We object to the dismissal of alternatives.

We deplore what appears to be VSP's unresponsiveness in substance, the half-hearted and/or dismissive responses to our concerns.

We deplore that two county Boards of Supervisors and 300-plus nearby residents (many of whom did and are doing research that VSP should have demanded of its consultants) have been ignored in VSP's zeal to have the range, have it here, and have it now.

RECEIVED

JUL 28 2010

July 25, 2010

Mr Wellman

DEQ-Office of Environmental
Impact Review

Here is the photograph referred to in

my email comments on the VSP

Firing Range. (Email to be sent by lawyer on
7.26.2010).

It is referred to in my paragraph 6.

If you have questions, please call.

Respectfully,

Carson Tucker
Board of Supervisors
Powhatan County
804 598 2213



Mr. Carson Tucker
3845 Old River Trl.
Powhatan, VA 23139



RECEIVED

JUL 29 2010

OEQ-Office of Environmental
Impact Review

Ms Wellman

Google map.

Note ~~steep~~ slope of land.

Carson Tucker

5982215

Goodland House
River Bluff subdivision, Goodland County

James River

James River

Berms

9200'

FIRING LINE

Parking

land to remain
corrections land

Google

© 2010 Google
Image © 2010 Commonwealth of Virginia
© 2010 Europa Technologies
Image © U.S. Geological Survey
37° 27' 33.85" N 77° 52' 19.89" W elev 289 ft

Eye alt 431 ft

Imagery Date: Feb. 1, 2007

new entrance

OLD RIVER
TRAIL

711LMAN BEEF FARM

Wellman, Julia (DEQ)

From: Carolyn Bishop [cbishop@powhatanva.gov]
Sent: Tuesday, August 17, 2010 3:21 PM
To: Wellman, Julia (DEQ); BBuniva@eckertseamans.com
Cc: C Tucker; John F. Rick
Subject: RE: FW: From Carson Tucker: response to DEQ on the EIR

Yes, that is correct.

Thank you,
Carolyn Bishop

-----Original Message-----

From: Wellman, Julia (DEQ) [mailto:Julia.Wellman@deq.virginia.gov]
Sent: Tuesday, August 17, 2010 2:57 PM
To: BBuniva@eckertseamans.com
Cc: C Tucker; Carolyn Bishop; John F. Rick
Subject: RE: FW: From Carson Tucker: response to DEQ on the EIR

Thank you for the quick response.

Mr. Tucker and Ms. Bishop, If you could provide further clarification, I would appreciate it.

Sincerely, Julia

Julia Wellman
Environmental Impact Review Coordinator
Virginia Department of Environmental Quality PO Box 1105 Richmond, VA 23218
Phone: (804) 698-4326
Fax: (804) 698-4319
NEW E-mail: Julia.Wellman@deq.virginia.gov

-----Original Message-----

From: BBuniva@eckertseamans.com [mailto:BBuniva@eckertseamans.com]
Sent: Tuesday, August 17, 2010 2:57 PM
To: Wellman, Julia (DEQ)
Cc: carsontucker@verizon.net; cbishop@powhatanva.gov; jfrick@johnricklaw.com
Subject: Re: FW: From Carson Tucker: response to DEQ on the EIR

Julia:

I have not been retained by Powhatan County in the pure attorney-client relationship sense. I think what Mr. Carson was communicating is that the County endorses the positions and arguments articulated in my letter and exhibits filed with VDEQ on July 28 on behalf of private citizens opposed to the proposed firing range.

It is my understanding that the Powhatan County Board of Supervisors designated Mr. Tucker as the spokesperson for the County's opposition to the proposed range, and in that capacity, his email was endorsing what I submitted, a near final draft of which he had reviewed prior to his sending you his email.

I've copied John Rick, (County Attorney), Mr. Tucker, and Carolyn Bishop (County Administrator) on this email so that they may provide you with further clarification if desired.

Thanks,

Brian

Brian L. Buniva, Esquire
Eckert Seamans Cherin & Mellott, LLC
707 E. Main Street, Suite 1450